

## § 200.1

fenestration products (windows and doors).

### **Subpart T—Social Security Numbers and Employer Identification Numbers; Assistance Applicants and Participants**

200.1001 Cross-reference.

### **Subpart U—Social Security Numbers and Employer Identification Numbers; Applicants in Unassisted Programs**

200.1101 Cross-reference.

### **Subpart V—Income Information; Assistance Applicants and Participants**

200.1201 Cross-reference.

### **Subpart W—Administrative Matters**

200.1301 Expiring Programs—Savings Clause.

200.1302 Additional expiring programs—savings clause.

200.1303 Annual income exclusions for the Rent Supplement Program.

### **Subpart Y—Multifamily Accelerated Processing (MAP): MAP Lender Quality Assurance Enforcement**

200.1500 Sanctions against a MAP lender.

200.1505 Warning letter.

200.1510 Probation.

200.1515 Suspension of MAP privileges.

200.1520 Termination of MAP privileges.

200.1525 Settlement agreements.

200.1530 Bases for sanctioning a MAP lender.

200.1535 MAP Lender Review Board.

200.1540 Imminent harm notice of action.

200.1545 Appeals of MAP Lender Review Board decisions.

APPENDIX A TO PART 200—STANDARDS INCORPORATED BY REFERENCE IN THE MINIMUM PROPERTY STANDARDS FOR HOUSING (HUD HANDBOOK 4910.1)

AUTHORITY: 12 U.S.C. 1702–1715z–21; 42 U.S.C. 3535(d).

SOURCE: 36 FR 24467, Dec. 22, 1971, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 200 can be found at 69 FR 18803, Apr. 9, 2004.

#### **§ 200.1 Purpose.**

This part sets forth requirements that are applicable to several of the programs of the Federal Housing Administration, an organizational unit within the Department of Housing and Urban Development. Program require-

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ments applicable to FHA programs and other HUD programs also can be found in 24 CFR part 5. The specific program regulations should be consulted to determine which requirements in this part 200 or 24 CFR part 5 are applicable.

[61 FR 14398, Apr. 1, 1996]

### **Subpart A—Requirements for Application, Commitment, and Endorsement Generally Applicable to Multifamily and Health Care Facility Mortgage Insurance Programs; and Continuing Eligibility Requirements for Existing Projects**

SOURCE: 61 FR 14399, Apr. 1, 1996, unless otherwise noted.

#### **§ 200.3 Definitions.**

(a) The definitions “department”, “elderly person”, “family”, “HUD”, and “Secretary”, as used in this subpart A, shall have the meanings given these terms in 24 CFR part 5.

(b) The terms “*first mortgage*”, “*hospital*”, “*maturity date*”, “*mortgage*”, “*mortgagee*”, and “*state*”, as used in this subpart A shall have the meaning given in the section of the National Housing Act (12 U.S.C. 1701), as amended, under which the project mortgage is insured.

(c) As used in this subpart A:

*Act* means the National Housing Act, (12 U.S.C. 1701) as amended.

*Commissioner* means the Federal Housing Commissioner.

*FHA* means the Federal Housing Administration.

*Insured mortgage* means a mortgage which has been insured by the endorsement of the credit instrument by the Commissioner, or the Commissioner’s duly authorized representative.

*Project* means a property consisting of site, improvements and, where permitted, equipment meeting the provisions of the applicable section of the Act, other applicable statutes and regulations, and terms, conditions and standards established by the Commissioner.

[61 FR 14399, Apr. 1, 1996, as amended at 77 FR 5675, Feb. 3, 2012]

## ELIGIBLE MORTGAGOR

**§ 200.5 Eligible mortgagor.**

(a) Except as provided in paragraph (b) of this section, the mortgagor:

(1) Shall be a single asset mortgagor entity acceptable to the Commissioner, as limited by the applicable section of the Act, and shall possess the powers necessary and incidental to operating the project, except that the Commissioner may approve a non-single asset mortgagor entity under such circumstances, terms and conditions determined and specified as acceptable to the Commissioner; and

(2) Shall not be a natural person or tenant in common.

(b)(1) For multifamily project mortgages for which HUD issued a firm commitment for mortgage insurance before September 1, 2011, and for multifamily project mortgages insured under section 232 of the Act (12 U.S.C. 1715w), the mortgagor shall be a natural person or entity acceptable to the Commissioner, as limited by the applicable section of the Act, and shall possess the powers necessary and incidental to operating the project.

(2) For multifamily project mortgages for which HUD issued a firm commitment for mortgage insurance on or after September 1, 2011, the regulations of paragraph (a) of this section shall apply, unless the mortgagor demonstrates to the satisfaction of the Commissioner that financial hardship to the mortgagor would result from application of the regulations in paragraph (a) of this section due to the reasonable expectations of the mortgagor that the transaction would close under the regulations in effect prior to September 1, 2011, in which case, the regulations of paragraph (b)(1) shall apply.

[76 FR 24369, May 2, 2011]

**§ 200.6 Employer identification and social security numbers.**

The requirements set forth in 24 CFR part 5, regarding the disclosure and verification of social security numbers and employer identification numbers by applicants and participants in assisted mortgage and loan insurance and related programs, apply to these programs.

## ELIGIBLE MORTGAGEE

**§ 200.10 Lender requirements.**

The requirements set forth in part 202 of this chapter regarding approval, recertification, withdrawal of approval, approval for servicing, report requirements and conditions for supervised mortgagees, nonsupervised mortgagees, investing mortgagees, and governmental and similar institutions, apply to these programs.

[62 FR 20081, Apr. 24, 1997]

**§ 200.11 Audit requirements for State and local governments as mortgagees.**

Requirements set forth in 24 CFR part 44, Non-Federal Governmental Audit Requirements, apply to State and local governments (as defined in 24 CFR part 44) that receive mortgage insurance as mortgagees.

## ELIGIBLE MORTGAGE

**§ 200.15 Maximum mortgage.**

Mortgages must not exceed either the statutory dollar amount or loan ratio limitations established by the section of the Act under which the mortgage is insured, except that the Commissioner may increase the dollar amount limitations:

(a) By not to exceed 170 percent, in any geographical area, in which the Commissioner finds that cost levels so require; and

(b) By not to exceed 170 percent, or 215 percent in high-cost areas, where the Commissioner determines it necessary on a project-by-project basis.

[73 FR 17239, Mar. 31, 2008]

**§ 200.16 Project mortgage adjustments and reductions.**

The principal amount computed in accordance with the applicable section of the Act for the insured mortgage shall be subject to additional adjustments and reductions in accordance with terms and conditions established by the Commissioner.

**§ 200.17 Mortgage coverage.**

The mortgage shall cover the entire property included in the project.